

REMARKS

Claims 1, 2, 14, 15, 23, and 24 are amended. Claims 1-27 remain in the Application. Reconsideration of the pending claims is respectfully requested in view of the above amendment and the following remarks.

III. Claims Rejected Under 35 U.S.C. § 103

A. Claims 1-3, 10-16, and 20-27 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 5,848,396 issued to Gerace ("Gerace'396") in view of U.S. Patent No. 5,999,908 issued to Abelow ("Abelow").

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest each of the elements of a claim. Claim 1 is amended to recite a computer implemented method comprising, among other elements, "receiving a request to obtain consumer feedback on a broadcast product, wherein the broadcast product is designed to be broadcasted, substantially simultaneously, from a signal source to a service area via a broadcast medium, and captured by a plurality of clients located in the service area during the broadcasting." Claim 1 is amended to more clearly point out that the claimed broadcasting is different from the point-to-point communications on the Internet as disclosed by Gerace'396. Content delivery on the Internet generally involves routing a stream of packets destined for a specific address where a receiving device is located. Broadcasting, on the other hand, delivers contents to a service area without a specific address of the receiving device. Any receiving device located in the service area, with proper authorization, may capture the broadcast contents. Thus, broadcasting technology is fundamentally different from the Internet technology. Thus, the claimed method and Gerace'396 are based on diverse technologies and cannot be considered analogous art. For at least the foregoing reasons, Gerace'396 does not teach or suggest each of the elements of amended Claim 1.

Abelow is relied on for disclosing storing the feedback data in a memory device of each client. However, Abelow does not cure the deficiencies of Gerace'396 at least with respect to the claimed broadcast product. There is nothing in Abelow that teaches or suggests the product is broadcasted to the clients. Thus, Gerace'396 in view of Abelow does not teach or suggest each of the elements of amended Claim 1.

Claims 2, 3 and 10-13 depend from Claim 1 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to Claim 1, the cited references does not teach or suggest each of the elements of Claims 2, 3 and 10-13. Analogous discussions apply to amended independent Claims 14 and 23, and their respective dependent Claims 15, 16, 20-22, and 24-27.

Moreover, with respect to Claims 2, 15, and 24, these claims are amended to include relevance data and believability data. None of the cited references teach or suggest any data that indicate the relevance level and the accuracy level of the rating generated by the client. Thus, amended Claim 2, 15, and 24 are non-obvious over the cited references for this additional reason.

Accordingly, reconsideration and withdrawal of the rejection of Claims 1-3 10-16, and 20-27 are requested.

B. Claims 4-9 and 17-19 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,991,735 issued to Gerace et al ("Gerace'735") in view of Abelow.

Gerace'735 discloses similar Internet technology as described in Gerace'396. Thus, for at least the reasons discussed above in regard to Claim 1, Gerace'735 does not teach or suggest the claimed broadcast product. Abelow does not cure the deficiencies of Gerace'735 for reasons mentioned above in regard to Claim 1. Thus, Gerace'735 in view of Abelow does not teach or suggest each of the elements of Claim 1.

Claims 4-9 depend from independent Claim 1 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to Claim 1, Gerace'735 in view of Abelow does not teach or suggest each of the elements of Claims 4-9.

Analogous discussion applies to Claims 17-19 which are rejected for the same reasons as applied to Claims 4-9. Accordingly, reconsideration and withdrawal of the obviousness rejection of Claims 4-9 and 17-19 are requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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